

REMARKS

A. BACKGROUND

The present Amendment is in response to the Office Action mailed May 1, 2009. Claims 1-18 and 20-45 were pending. Claims 1-6, 8-11, 14-18, 20, 21, 23-25, 28, 29, 32-35, and 38-45 are rejected.¹ Claims 7, 12, 13, 22, 26, 27, 30, 31, 36, and 37 are objected to. Claims 1, 9, 15, 23, 28, 32, and 38-45 are cancelled and claims 2, 5-8, 10-12, 14, 16, 20-22, 24-26, 29-30, and 33-36 are amended. Claims 2-8, 10-14, 16-18, 20-22, 24-27, 29-31, and 33-37 are now pending in view of the above amendments.²

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

B. ALLOWABLE SUBJECT MATTER

The Examiner has indicated that claims 7, 12, 13, 22, 26, 27, 30, 31, 36, and 37 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicant has rewritten claims 7, 12, 22, 26, 30, and 36 in an independent format including all of the limitations of base claims 1, 9, 15, 23, 28, and 32, respectively. In particular, the scope of claims 7, 12, 22, 26, 30, and 36 have not been narrowed in any way so as to overcome any prior art, but has merely been rewritten in an independent format. As acknowledged by the Examiner, claims 7, 12, 22, 26, 30, and 36 are patentably

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should the need arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

distinct from the prior art, and are now in a condition for allowance. Allowance of each of these claims is respectfully requested.

C. PRIOR ART REJECTIONS

I. REJECTION UNDER 35 U.S.C. §102(E)

The Office Action rejected claims 1-3, 5, 6, 8-11, 14-17, 20, 21, 23-25, 28, 29, and 32-35 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,749,890 (*Shaknovich*). Claims 1, 9, 15, 23, 28, and 32 have been canceled. With respect to the remaining claims, claims 2-6 and 8 have been amended to depend from allowable independent claim 7, claims 10-11 and 14 have been amended to depend from allowable independent claim 12, claims 16-18 and 20-21 have been amended to depend from allowable independent claim 22, claims 24-25 have been amended to depend from allowable independent claim 26, claim 29 has been amended to depend from allowable independent claim 30, and claims 33-35 have been amended to depend from allowable independent claim 36. Therefore, Applicant respectfully submits that claims 2-3, 5-6, 8, 10-11, 14, 16-17, 20-21, 24-25, 29, and 32-35 are allowable for at least the same reasons as claims 7, 12, 22, 26, 30, and 36, respectively. Consequently, Applicant respectfully requests removal of the rejection of claims 2-3, 5-6, 8, 10-11, 14, 16-17, 20-21, 24-25, 29, and 32-35 under Section 102.

II. REJECTION UNDER 35 U.S.C. § 103

The Office Action rejected claims 4 and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,749,890 (*Shaknovich*) in view of U.S. Patent No. 4,748,982 (*Horzewski*). Claims 38, 40, and 43-45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,374,275 (*Bradley*) in view of U.S. Patent No. 6,517,553 (*Klein*) and further in view of U.S. Patent No. 5,531,700 (*Moore*). Claims 38, 39, 41, and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,368,601 (*Sauer*), in view of *Klein* and further in view of *Moore*. Claims 38-45 have been canceled. With respect to the remaining claims, claim 4 has been amended to depend from allowable independent claim 7 (through claims 3 and 2) and claim 18 has been amended to depend from allowable

² Support for the claim amendments and/or new claim(s) can be found throughout the specification and/or drawings as originally filed.

independent claim 15 (through claims 17 and 16). Consequently, Applicant respectfully requests removal of the rejection of claims 4 and 18 under Section 103.

D. CONCLUSION

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as provide the required motivation or suggestion to combine references with the other art of record.

For at least the foregoing reasons, Applicant respectfully submits that the pending claims are neither anticipated by nor made obvious by the art of record. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 3rd day of August, 2009.

Respectfully submitted,

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